

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

SHARON KAUFMAN,)	
)	
Plaintiff,)	4:09CV3087
)	
v.)	
)	
CVS PHARMACY, Inc., and)	MEMORANDUM AND ORDER
DAVACO, Inc.,)	
)	
Defendants.)	

According to a motion jointly filed by defendant CVS Pharmacy, Inc. and defendant Davaco, Inc., (filing no. [24](#)), Davaco has agreed to defend and indemnify CVS for the plaintiffs claims in this lawsuit. The defendants have therefore filed a joint motion requesting an order: 1) allowing CVS' counsel of record, Steven D. Davidson, Jennifer D. Tricker, and Baird Holm LLP, to withdraw; 2) entering the appearance of David A. Dudley and the law firm of Baylor, Evnen, Curtiss, Gritmit & Witt LLP as counsel for both Davaco and CVS; and 3) dismissing CVS' cross-claims against Davaco in their entirety. Counsel for the plaintiff takes no position on defendants' motion. The motion will be granted.

IT IS ORDERED that defendants' motion, (filing no. [24](#)), is granted, and

- 1) Steven D. Davidson, Jennifer D. Tricker, and Baird Holm LLP are hereby withdrawn as counsel for defendant CVS Pharmacy, Inc.
- 2) David A. Dudley, and Baylor, Evnen, Curtiss, Gritmit & Witt LLP are counsel of record for Davaco, Inc. and CVS Pharmacy, Inc.
- 3) The cross-claims filed by defendant CVS Pharmacy, Inc. against Davaco, Inc. are dismissed without prejudice.

August 14, 2009.

BY THE COURT:

Richard G. Kopf

United States District Judge